

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia
Savannah Division

2008 JUL 28 AM 10:28

United States of America)

v.)

Kenneth Timmons)

Date of Previous Judgment: May 31, 2006)

(Use Date of Last Amended Judgment if Applicable))

Case No: CR405-00335-001USM No: 12493-021

Erin Raley

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 155 months is reduced to 148 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29Amended Offense Level: 27Criminal History Category: VICriminal History Category: VIPrevious Guideline Range: 151 to 188 monthsAmended Guideline Range: 130 to 162 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):


III. ADDITIONAL COMMENTS

If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence.

Except as provided above, all provisions of the judgment dated May 31, 2006, shall remain in effect.

IT IS SO ORDERED.

Order Date: 7-28-2008


 Judge's signature

Effective Date:

B. Avant Edenfield
 United States District Judge
 For the Southern District of Georgia
 Printed name and title

(if different from order date)